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October 22, 2024

By ECF

Honorable Ronnie Abrams
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Etuk v. City of New York et al.,
24-CV-4967 (RA)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, attorney for Defendant City of New York in the above-referenced matter.¹ I write to provide information to the Court and Plaintiff in accordance with the Court's direction and to respectfully request a two-week extension of time to fully comply.

First, the City writes in response to the Valentin Order issued by Your Honor on August 23, 2024 (ECF No. 9), to provide the names, shield numbers, and service addresses of the "John Doe" DHS officers that Plaintiff purports to name in his Amended Complaint. Plaintiff's Amended Complaint lists 10 "John Doe" DHS Officers. However, careful inspection of DHS officers' body worn cameras and discussions with DHS officials have led to the determination that only three "John Doe" DHS officers were involved in the underlying events alleged in Plaintiff's Amended Complaint—all of whom are either no longer employed by DHS or are currently working for another City agency.

Upon information and belief, the names and badge numbers for two of the John Doe officers are as follows:

- Autumn Burgess (Shield # 915);
- Emrah Bektesevic (Shield # 982).

¹ This case has been assigned to Assistant Corporation Counsel Michael Futral, who is presently awaiting his results from the July 2024 New York State Bar Exam and is handling this matter under my supervision. Mr. Futral may be reached directly at (212) 356 – 1643 or by email at mifutral@law.nyc.gov.

The name, badge number, and service address for the third John Doe officer is as follows:

- Malcolm Wise (Shield #1340)
Department of Social Services, 150 Greenwich Street
38th Fl., Subpoena Unit,
New York, NY 10007

Second, Defendant City respectfully requests a two-week extension of time, from October 22, 2024, until November 6, 2024, to provide the Court with the service addresses for Ms. Burgess and Mr. Bektesevic.² This is the first request for an enlargement of time to respond to the Valentin Order. This request will not impact any other deadline and does not present any prejudice to Plaintiff. On October 21, 2024, Defendant City called Plaintiff to obtain his consent to this request. However, the number Defendant called was no longer in service. That same day, Defendant called Plaintiff at a different number and left a voicemail. As of October 22, 2024, Defendant had not heard back from Plaintiff. As such, Defendant City was unable to ascertain Plaintiff's position to this application.

Ms. Burgess and Mr. Bektesevic are no longer employed by DHS and the City is working to obtain designations of agent for service of process for both individuals in order to allow the Corporation Counsel for the City of New York to accept service on their behalf. This extension will also allow Defendant City to confirm that no other DHS officers were involved in the events alleged in Plaintiff's Amended Complaint.

The City thanks the Court its time and consideration of this matter.

Cc: **By ECF and Mail**

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2402 Atlantic Avenue, #04
Brooklyn, New York 11233
Pro Se Plaintiff

Respectfully submitted,

Joseph Zangrilli /s/

Joseph Zangrilli
Senior Counsel

Special Federal Litigation

Application granted. The Clerk of Court is respectfully directed to send a copy of this order to Plaintiff.

SO ORDERED.



Hon. Ronnie Abrams

October 23, 2024

² Two weeks from October 22, 2024 would fall on November 5, 2024, which is Election Day and this Office is closed. As such, Defendant respectfully requests that the deadline be made to be the following day, November 6, 2024.